

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	M.W. BROWN et al.	Examiner	Kirsten S. Apple
Serial No.	09/895,244	Group Art Unit	3628
Filed	June 29, 2001	Docket No.	AUS920000711US1
TITLE	METHOD, SYSTEM, AND PROGRAM FOR IMPLEMENTING AN AUCTION USING CALENDAR INFORMATION		

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Kirsten S. Apple of the U.S. Patent and Trademark Office on June 27, 2007.

/David Victor/

David W. Victor

**RESPONSE TO OFFICE ACTION**

This paper is submitted in response to a non-final third office action in the above case dated February 27, 2007 (“Third Office Action”) in which the Examiner, in response to a Request for a Pre-Appeal Brief Conference, reopened prosecution to reject all the claims as indefinite (35 U.S.C. §112, par. 2) and obvious (35 U.S.C. §103) over new cited art. On June 6, 2007, the attorney for Applicants and the Examiner conducted a phone interview discussing the claims. The Examiner and attorney discussed amendments to overcome the Section 112, par. 2 rejection, which Applicants present herein. Although no agreement was reached, the Examiners said they would consider applicants arguments presented during the phone interview, which are presented below. Applicants submit that pending claims 1-13, 15, 17-30, and 32-44 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

Claim amendments being on pg. 2

Remarks/Arguments begin on page 11.